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Amendment
Attorney Docket No. S63.2B-9515-US01

Remarks

Rejections

35 U.S.C. §103(a)

Claims 1-7, 9-13 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Rau et al. (WO 9518647) in view of Zdrahala (US 5,248,305) as evidenced by Bland et al. (US 6,427,842).

Applicants have amended claim 1 in accordance with the telephone conversation with the examiner on Tuesday, May 3, 2005.

Independent claim 1 as amended is directed to a balloon for a medical device comprising a polymer matrix material and a plurality of fibers distributed in the matrix material to provide reinforcement, the fibers being distributed in a selected direction relative to the balloon axis and composed of material which has a greater tensile strength than the matrix material, the fibers selected from the group consisting of polyetherketone, polyphenylene sulfide, aromatic nylon, polyurethane, polyester, copolyester, polyester blends, polyester/polyurethane blends and fluoropolymer and wherein the fibers are stronger than the matrix material and have a bulk elongation between 50% and 200% .

Support can be found on page 5, lines 1-13, page 8, lines 11-20, and from page 9, second full paragraph of serial no. 09/696378, the entire content of which is incorporated by reference on page 1 of the present application.

The combination of specific fiber materials and a bulk elongation between 50% and 200% is not suggested by the art of record.

Claims 2-6 and 9-13 depend from claim 1 and are patentable for at least the reasons that claim 1 is patentable.

Applicants respectfully request withdrawal of the rejection of claims 1-7 and 9-13 under 35 U.S.C. §103(a) as being unpatentable over Rau et al. (WO 95.18647) in view of Zdrahala (US 5,248,305) as evidenced by Bland et al. (US 6,427,842).

Claims 1, 7-8, 14, 16, 18-21, 24-25 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Rau et al. view of Bland, as evidenced by Zdrahala.

Independent claim 1 has been amended as discussed above and is patentable over

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the combination of references because the combination fails to recite specific fiber materials having a bulk elongation between about 50% and 200%.

Claims 7-8 depend from claim 1 and are patentable for at least the reasons that claim 1 is patentable.

Independent claim 14 has been amended in a consistent manner with claim 1 and is seen as being patentable over the art of record for the same reasons that claim 1 is patentable over the art of record. The art of record does not suggest a balloon having multilayers wherein some layers contain the specific fiber materials having a bulk elongation between about 50% and 200% as recited in amended claim 14.

Claims 16, 18-21, 24 and 25 depend from claim 14 and are patentable for at least the reasons that claim 14 is patentable.

Applicants respectfully request withdrawal of the rejection of claims 1, 7-8, 14, 16, 18-21, 24-25 under 35 U.S.C. §103(a) as being unpatentable over Rau et al. view of Bland, as evidenced by Zdrahala.

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CONCLUSION

Claims 1-3, 5-14, 16, 18-21, 24 and 25 are pending in the application. Applicants have addressed each of the issues presented in the Office Action. Applicants respectfully request reconsideration and an early allowance of the claims as presented. Should any issues remain, the attorney of record may be reached at (952)563-3011, to expedite prosecution of this application.

Respectfully submitted,

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